

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Crim. No. 08-616 (SRC)
v. : Hon. Stanley R. Chesler
DENNIS J. OURY and
JOSEPH A. FERRIERO : ORDER

This matter having come before the Court upon the joint motion of the United States, by Ralph J. Marra, Jr., Acting U.S. Attorney (Thomas R. Calcagni, Joshua Drew, and Rachael A. Honig, Assistant U.S. Attorneys, appearing), defendant Dennis J. Oury (Gerald Krovin, Esq., appearing), and defendant Joseph A. Ferriero (Joseph A. Hayden, Esq. and James A. Plaisted, Esq., appearing) for a court order pursuant to Federal Rule of Evidence 502(d), the Court having considered the motion and the positions of the parties; and for good cause shown,


IT IS on this 30 day of July, 2009,

ORDERED that the motion is GRANTED; and it is

FURTHER ORDERED that in the course of the above-captioned matter and any related investigation by the United States Attorney's Office for the District of New Jersey ("USAO"), the disclosure of information protected by either the attorney-client privilege and/or the work product protection through the USAO's production to the defendants of electronically stored data obtained from Scarinci & Hollenbeck does not result in a waiver of either protection. Such a disclosure also would not constitute a waiver in any other Federal or State proceeding; and it is

FURTHER ORDERED that the disclosure of the same information to the defendants in this case in furtherance of the USAO's discovery obligations similarly does not constitute a waiver of any attorney-client privilege or work product protection that might otherwise exist between Scarinci & Hollenbeck and any third party and does not constitute a waiver in any other Federal or State proceeding; and it is

FURTHER ORDERED that the defendants may use the information solely for the purposes of the above-captioned and related matters and may not otherwise disseminate this information to third parties.



HON. STANLEY R. CHESLER
United States District Judge